

REMARKS

Applicant hereby amends Claims 7, 20 and 29, and submits that all of pending Claims 7-15, 17, 18, 20, 22-26 and 29-33 are in condition for allowance based on the following discussion.

I. Section 112 Objections

With respect to the Section 112 rejections, reconsideration is requested based on the following comments.

Office Action Paragraph 3

As to Paragraph 3, Claim 20 is objected to based upon quoted language that does not exist in Claim 20. The specific quoted language was deleted in the response dated June 23, 2005. Hence, the objection is unclear and no amendment is made in specific response to this objection since the transmitter and receiver are defined in conformance with the disclosure of the specification.

However, Claim 20 is amended herein to further refine the claim language and review of this specific language is requested.

Paragraph 3 also references Claim 28. Claim 28 was previously cancelled and thus, this claim reference is believed an inadvertent carryover from a prior objection, and has been ignored for purposes of this response.

Office Action Paragraph 4

As to Paragraph 4, Claims 26 and 31 are objected to for reciting that the name or picture of the authorized user are displayed. This claim language is believed to be fully supported by the specification. Paragraph 28 of the specification discloses that the processor 9 has a store with the fingerprint pattern of the authorized user therein, and the processor is a comparator which compares the users fingerprint with stored fingerprint data to identify the authorized user. Clearly, this is how the identification mechanism knows which user is present. In paragraph 26, additional information as to the authorized user, specifically the name or picture may be displayed. Based on this

disclosure, nothing more is required for the skilled artisan to be able to display a name or picture associated with an authorized user on an LCD.

MPEP 2164.08 advises that "not everything necessary to practice the invention need be disclosed" and it is best to omit some information. "All that is necessary is that one skilled in the art be able to practice the claimed invention, given the level of knowledge and skill in the art." Id. Hence, the level of disclosure in the specification is enabling in accord with MPEP 2164.08.

Withdrawal of the objection to Claims 26 and 31 is requested.

Office Action Paragraph 5

As to Paragraph 5, Claim 20 is also objected to based upon the term "received signal". Claim 20 was previously amended to delete this term, and no current use of this term exists in Claim 20. Withdrawal of this objection is believed proper.

Office Action Paragraph 6

Claim 30 is objected to, but is amended for clarity. As explained in Paragraphs 8 and 9 of the specification, the weapon is activated so long as the signals being received by the receiver exceed the field strength corresponding to the maximum distance. The skilled artisan would readily appreciate that as to an interfering transmitter, such a transmitter would merely add to the monitored signal strength such that the interfering could not deactivate the weapon or disturb the readiness to fire. Hence, a strong overpowering transmitter which might overpower and interfere with a coded signal as referenced in specification Paragraph 5, could not do so in applicant's invention. Hence, Claim 30 is believed acceptable.

Office Action Paragraph 7

Lastly, Claims 7-15, 17, 18 and 29-33 are objected to for reciting that the processor monitors the receiver. Specification paragraph 19 defines that the receiver detects

the signal strength wherein the distance is continuously monitored (Paragraph 30) through the continuously emitted signals from the transmitter (Paragraph 31) and the field strength thereof. Clearly, the signal strength is detected by the receiver and continuously monitored, such that the processor controls activation of the weapon according to this continuous monitoring. While the claims are believed proper and enabled, further amendment of Claims 7 and 29 is made for expediency. Withdrawal of the claim objections is requested.

II. Prior Art Rejections

As to the prior art, Claims 7-11, 13, 14, 17, 18, 20, 22, 29 and 32 are rejected as being anticipated by Reiner. However, Reiner does not disclose applicant's claimed invention.

In particular, applicant's invention generally relates to the method of controlling the activation/deactivation of a weapon while avoiding interfering transmissions. This is accomplished by using the identification mechanism or unit to identify an authorized user, and then send an activation code to the weapon which is received, after which a processor on the weapon places the weapon into an active state. To maintain, the weapon active, the receiver on the weapon monitors the signal strength of the signal transmitted by the identification mechanism wherein the weapon processor maintains the weapon active "exclusively dependent" upon the signal strength from the signal sent by the identification mechanism.

As such, the weapon of the claimed invention first receives the activation code from the identification mechanism to make the weapon active, and from this same identification mechanism, exclusively monitors the strength of the signals being received without regard to the content of the signals, i.e. frequency, coding, etc.

Reiner, in fact, completely differs from this arrangement as claimed since Reiner discloses continuous receipt of the

acceptable identification code, even when Reiner is also secondarily and simultaneously evaluating distance.

More particularly, Reiner discloses a device 19 on the user and another device 20 on the weapon. Other components are provided on lockable storage cabinets, but these are not believed relevant to the claimed invention which relates to the weapon.

In Col. 10, line 3, it is indicated that the identification code 30 is transmitted from aerial 31. Applicant respectfully notes that this code 30 is continuously transmitted between the unit 19 and the weapon 20 in order to maintain the weapon active. While columns 10 and 11 of Reiner discuss distance, this does not eliminate the fact that the code 30 continues to be transmitted but rather supports this conclusion.

In support, Col. 11, lines 18-23, disclose that distance protection can be provided by limiting the transmission range, which also indicates that continuous transmissions would be required for this option to work. Since this passage is talking about the transmissions relating to the identification code 30, this necessarily indicates that the identification code 30 continues to be monitored.

With respect to these repeated transmissions of code 30, Col. 10 lines 19-24, disclose that the code 30 would not be monitored or intercepted by an unauthorized third party due to the short transmission range. However, to completely protect against this interception, Col. 10, lines 25-56, refer to a encoding and/or decoding unit which encodes or decodes the code 30. In other words, the code 30 may be encrypted or decrypted.

Notably, this does not indicate that the code 30 is "uncoded" as asserted in Office Action paragraph 11. This only indicates that the code 30 is encrypted or decrypted, which thereby differs from an uncoded signal as defined in applicant's Claims 17 and 20.

Col. 10, lines 36-37, further disclose that the code 30 is variably encrypted from one transmission to the next to appear as a random code transfer, which further indicates multiple transmissions.

Col. 11, lines 33-48, disclose monitoring the code 30, but still disclose that the identification code 30 continues to be transmitted.

Col. 11, lines 48-51, disclose the ultrasonic signal referenced in the office action. This ultrasonic signal would be a signal sent from the weapon, bouncing off the other unit and then returning to the weapon wherein distance is calculated from the delay in the return signal. This system that relies upon the timing of a signal from weapon-to-unit-to-weapon completely differs from applicant's continuous signal which is based upon the signal strength of a continuous signal sent one-way from the remote identification mechanism to the weapon.

Hence, Reiner clearly discloses repeated transmission of the code 30, and while the distance measurement is a secondary, simultaneous test, the code 30 is still being transmitted.

Applicant's invention, however, specifically differs.

Claim 7 defines that an activation code is sent and then the continuous signal is transmitted. The activation code causes the weapon to be placed in the active state, and then the strength of the continuous signal received by the weapon receiver is monitored. The claimed method maintains the weapon in this active state exclusively dependent upon the strength of the signal being above the minimum level. Thus, the maintaining step is performed without regard to the frequency of the continuous signal, or the presence of an activation code. Signal strength is the sole determinant of the maintaining step. This is not true in Reiner, and Reiner does not disclose, teach or suggest applicant's claimed invention.

Further, the continuous signal is sent from the identification mechanism to the weapon receiver and strength is measured, which is not disclosed in Reiner. The ultrasonic system of Reiner measures the time of a signal sent from the weapon to the unit and then bouncing back to the weapon.

Hence, Claims 7-15, 17 and 18 are believed allowable. Notably, Claim 17 defines the continuous signal as being uncoded, which is not disclosed in Reiner, and in fact, Reiner teaches away therefrom. Further, Reiner does not disclose an uncoded signal since code 30 inherently is coded. Reiner merely teaches that the coded signal, i.e. code 30, may be encrypted or not which differs from Applicant's claimed uncoded signal.

As to independent Claim 20, this claim defines transmitting the activation code followed by an uncoded signal. Further, the weapon is maintained in the active state exclusively dependent upon the uncoded received at the weapon being at or above the minimum strength, regardless of the signal frequency or the presence of an interference signal. In accord with the above discussion, Reiner does not disclose a method of maintaining the weapon active exclusively dependent upon the strength of an uncoded signal received by the weapon. Hence, claims 20 and 22-26 are believed allowable.

As to Claim 29, here again this claim defines an activation code and a continuous signal wherein the weapon is maintained in the activated state exclusively dependent upon the signal strength of the continuous signal being at or above a minimum strength and regardless of signal frequency or the presence of a code therein. This thereby allows for avoiding of deactivation by an interfering signal. Thus, Claims 29-33 are also believed allowable.

As to Funfgelder, this reference fails to cure the deficiencies of Reiner discussed above.

Based on the foregoing, all of the claims are believed in condition for allowance.

Respectfully submitted,


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